

# **Notice of Proposed Action for Scoping and Comment Period**

## **Purgatory Resort**

### **Gelandé Chairlift, Terrain Project, and Boundary Adjustment**

**Columbine Ranger District, San Juan National Forest  
Bayfield, Colorado  
La Plata County  
T39N R9W Section 26**

## **COMMENTS WELCOME**

The Columbine Ranger District of the San Juan National Forest welcomes your comments on the proposal to initiate an Environmental Assessment (EA) process for the Purgatory Resort (Purgatory) Gelandé Chairlift and Terrain Project. The Forest Service will complete an EA that will be used to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). Instructions for submitting comments are described on the last page of this document.

This Notice of Proposed Action (NOPA) has been prepared to solicit public comments in response to the Purpose and Need for Action; the Proposed Action; and potential alternatives to the Proposed Action. Potential effects of the Proposed Action on the human and biological environment will be analyzed and disclosed in an EA, which will consider public comments received in response to this NOPA. If the agency determines there are no significant impacts, that finding along with the EA and a draft Decision Notice and FONSI will be published for a 45-day objection period. If no specific written comments are received during this designated opportunity for comment, the project will not be subject to objection. Following the 45-day objection period the Forest Service will publish a final Decision Notice and FONSI. If the EA concludes there is potential for significant impacts, then an EIS will need to be prepared.

Please note that this period is serving as both scoping and the sole comment period for the Proposed Action. There will not be another opportunity to comment.

## **BACKGROUND**

Purgatory submitted a proposal to the Forest Service that includes the Gelandé chairlift and trails project. These actions were analyzed in the 2008 Durango Mountain Resort Final Environmental Impact Statement (2008 FEIS), and the Gelandé chairlift was approved in the 2008 Record of Decision (2008 ROD) that ensued. However, the Gelandé project (chairlift and ski trail widening) has yet to be constructed. The request to realign the Gelandé chairlift and associated trails is driven by the recent change in ownership at Purgatory. When Purgatory's new ownership reviewed the existing Master

Development Plan (MDP), it recognized that the Gelandé lift would serve a higher utility to resort guests if aligned to directly serve skiable terrain, instead of to act primarily as a transport lift. The project would require an amendment to the 2013 San Juan National Forest Land and Resource Management Plan (Forest Plan) to adjust Purgatory's Special Use Permit (SUP) boundary and Forest Plan management area boundaries and acreages.

Based on initial review of the project and evaluation of the context and intensity factors contained in 40 CFR 1508.27, the Forest Service has determined an Environmental Assessment (EA) will be necessary to review, analyze and document the effects to the human, and biological environment anticipated to result with the implementation of these projects.

The forthcoming EA will analyze direct and indirect effects of the project that are proposed to occur on National Forest System (NFS) lands. Cumulative effects analysis will include past, present and reasonably foreseeable future activities that could affect, or could be affected by, implementation of proposed projects.

## **PURPOSE AND NEED FOR ACTION**

The **purpose** of the Proposed Action is to allow Purgatory to meet the increasing demand for expert-level terrain on the front-side of the mountain and to reduce skier traffic in the congested Demon ski trail area by constructing a lift that provides direct access to separate terrain. There is a **need** for the Proposed Action to improve access to available terrain from a separate base area portal and to improve skier circulation across the mountain. The need for the Forest Plan amendment is to keep the adjusted ski area permit boundary within Management Area 8.

## **ALTERNATIVE 2 – PROPOSED ACTION**

The proposed Gelandé chairlift realignment would result in a chairlift that is approximately 300 feet shorter (4,200 feet in length total), and is located 250 feet (bottom terminal) to 900 feet (top terminal) south of the previously approved chairlift. The chairlift, a top-drive triple chair with an uphill design capacity of 1,800 skiers per hour, would likely utilize parts from the recently removed Lift 8 (Legends) triple chair, which is currently in storage. The 2008 ROD approved approximately 16.9 acres of disturbance total (12.4 acres vegetation clearing only, 4 acres vegetation clearing and grading, and 0.5 acres grading only) to widen the Styx ski trail and install the chairlift (refer to Figure 1 for the previously approved project). This previously approved clearing acreage would be spatially reassigned to create a new return ski trail from top to bottom of the Gelandé chairlift (located just north and west of the proposed chairlift) as well as a new connecting ski trail from the lower Styx ski trail to the bottom, both terminating at the proposed Gelandé chairlift bottom terminal. Because the clearing associated with the widening of the Styx trail would no longer be necessary, the realignment and trails would not constitute any additional disturbance from what was previously approved on public lands. The bottom terminal would be located on private land, and the top terminal would be located on NFS lands, requiring a similar amount of disturbance as previously approved. An access road approximately 1,000 feet in length would be constructed from the existing top terminal of the Needles chairlift to the top terminal of the proposed

Gelandé chairlift realignment. The Proposed Action includes 16.1 acres of disturbance total (15.4 acres of vegetation clearing only, 0.4 acres of vegetation clearing and grading, and 0.3 acres of grading only).

The proposed chairlift alignment falls partially outside the existing SUP boundary, and would require a 26-acre adjustment of the SUP boundary into Forest Plan Management Area 4 and Management Area 5. The management areas are allocated for “high-use, recreation emphasis” and “active management (commodity production in order to meet multiple-use goals),” respectively. Therefore, the Proposed Action includes a Forest-wide Forest Plan amendment to change the current management areas within the SUP boundary adjustment area to Management Area 8, to be consistent with ski area operations.

## **FOREST SERVICE MANAGEMENT DIRECTION**

### **SAN JUAN NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLAN**

The Forest Plan, revised in 2013, provides current direction, management goals, objectives, and standards and guidelines for activities across the San Juan National Forest that are general requirements for the administration of NFS lands. The general objectives of the Forest Plan are to provide for multiple use and sustained yield of products, services and goods in a way that maximizes long-term net public benefits in an environmentally sound manner. The Proposed Action is anticipated to be consistent with Forest Plan management goals, objectives, and standards and guidelines, except for the current management area allocations (Management Areas 4 and 5) that the SUP boundary adjustment would overlap.

#### **Management Areas**

The Forest Plan classifies NFS lands into management areas and provides the basic framework for the management of these lands and resources.

Purgatory’s SUP area is designated as Management Area 8, which is managed for “Highly Developed Areas.” As previously stated, the proposed alignment for the Gelandé chairlift would require an adjustment of Purgatory’s SUP boundary into adjacent lands that are designated as Management Area 4 and Management Area 5, which are managed for “High-Use, Recreation Emphasis” and “Active Management (commodity production in order to meet multiple-use goals),” respectively. The three management areas are described below.

#### *Management Area 8*

These areas have been altered with long-term development (including downhill ski areas and large dams). In these areas, human activities have created lasting changes in the composition, structure, and function (ecological processes and disturbance agents) of the associated ecosystems. These areas, which often provide large socioeconomic benefits, include DMR and the McPhee Dam. Mineral development, mining, and alternative energy infrastructure is generally not compatible within Management Area 8 areas, e.g., within downhill ski areas and dams.

#### *Management Area 4*

These areas accommodate relatively high levels of recreation use that is managed to provide a wide variety of opportunities and experiences to a broad spectrum of visitors. They are associated with, and

often provide, access to popular destinations, transportation corridors, scenic byways, scenic vistas, lakes, and streams. Developed recreation facilities that provide user comfort and resource protection are present.

### *Management Area 5*

Active management occurs in these multiple-use areas to meet a variety of social, economic, and ecological objectives. They are easily accessible, occurring mostly on roaded landscapes and relatively gentle terrain. These are lands where timber harvesting, oil and gas activities, and intensive livestock grazing occur and influence the composition, structure, and landscape patterns of the vegetation. Natural ecological processes and disturbance agents (including succession and fire) are often influenced by humans on many of these lands. A mosaic of vegetation conditions is often present, some showing the effects (impacts) of past management activities, others appearing predominantly natural. These areas and serve as habitat for fauna and flora.

### **Recreation Opportunity Spectrum (ROS)**

The ROS is a classification tool that divides NFS lands into six management classes. These management classes are defined by physical setting and expected recreation experience, and together form a spectrum that ranges from “urban” to “primitive.” ROS classifications for NFS lands vary by management area designation, so the three management areas related to this project are classified differently. As such, implementation of the Proposed Action would cause ROS classifications for the lands within the SUP boundary adjustment area to be updated to correspond with the new management designation for those lands.

Currently, Management Areas 4, 5 and 8 are designated with a Summer ROS of Semi-Primitive Non-Motorized. Currently, Management Areas 4 and 5 are designated with a Winter ROS of Semi-Primitive Non-Motorized as well. This ROS is defined as:

*These areas provide for non-motorized recreation opportunities in unroaded and non-motorized settings. A natural-appearing setting dominates the physical environment, with only subtle or minor evidence of human-caused modifications. In that these areas are generally larger than 2,500 acres, they offer opportunities for solitude, remoteness, and risk, with a minimum of on-site controls and restrictions. Other user encounters should be generally low, with low levels of the sights and sounds of other users. (U.S. Department of Agriculture, Forest Service, undated. ROS Users Guide)*

Currently, Management Area 8 is designated with a Winter ROS of Semi-Primitive Motorized. This ROS is defined as:

*These areas provide for motorized recreation opportunities in semi-primitive settings. In areas seen from travelways, a natural-appearing setting dominates the outdoor physical environment, with only subtle or minor evidence of human-caused modifications. Other areas could have moderately dominant alterations. In that these areas are generally larger than 2,500 acres, they offer opportunities for solitude, remoteness, and risk, with little on-site controls and restrictions. Other user encounters should be generally low; however, the sounds of other users may be*

*evident due to motorized uses. (U.S. Department of Agriculture, Forest Service, undated. ROS Users Guide)*

With the proposed Forest Plan amendments, the lands within the SUP boundary adjustment area would correlate with the Management Area 8 Winter ROS of Semi-Primitive Motorized. The Summer ROS for Management Areas 4 and 5 would remain with the proposed Forest Plan amendment.

### **Scenery Management System (SMS)**

The SMS is a guide for inventory and analysis of the aesthetic values of NFS lands. In the SMS, landscapes are given a designated Scenic Integrity Objective (SIO), which “indicates the degree of intactness and wholeness of the landscape character” (Landscape Aesthetics: A Handbook for Scenery Management). SIOs range from “very low,” where landscapes appear to be heavily altered, to “very high,” where landscapes appear to be mostly intact with their natural form.

Purgatory SUP area and Management Area 8 are designated with a SIO of “low.” Management areas 5 are also designated with a SIO of “low.” Management area 4 is designated with a SIO of “moderate.”

A “low” SIO is defined as:

*Low scenic integrity refers to landscapes where the valued landscape character “appears moderately altered.” Deviations begin to dominate the valued landscape character being viewed but they borrow valued attributes such as size, shape, edge effect and pattern of natural openings, vegetative type changes or architectural styles outside the landscape being viewed. They should not only appear as valued character outside the landscape being viewed but compatible or complimentary to the character within. (Landscape Aesthetics: A Handbook for Scenery Management).*

A “moderate” SIO is defined as:

*Moderate scenic integrity refers to landscapes where the valued landscape character “appears slightly altered.” Noticeable deviations must remain visually subordinate to the landscape character being viewed. See section below on meeting integrity levels.*

Many ski resorts are given a low SIO designation as built structures are readily apparent in these areas. As a result of the SMS, these structures are specifically designed to blend in with their setting to maintain some level of landscape integrity. The Gelandé chairlift would be designed and constructed to blend in with Purgatory’s landscape, so that it would be compliant with the SIO designation of “low” for this area.

With a management area change from Management Area 4 to Management Area 8, the SIO of the area allocated as Management Area 4 would change to “low” from “moderate.”

## **NATURE OF DECISION TO BE MADE**

The responsible official is Kara Chadwick, the Forest Supervisor of the San Juan National Forest. In order to make a decision, the responsible official will review the EA, Purpose and Need for Action, Proposed Action (and other potential alternatives), all public comments, and the administrative record.

## PUBLIC INVOLVEMENT

Purgatory initiated public outreach on October 17<sup>th</sup>, 2017 with a public open house, at which they offered information regarding their proposal. The FS began the NEPA process with a legal notice published in the Newspaper of Record – *Durango Herald*, on or about December 13<sup>th</sup>, 2017. The legal notice will initiate a combined 30-day scoping and comment period, concluding on approximately January 12<sup>th</sup>, 2018. To inform the public of the project and answer questions, the FS may hold a public open house. Further information about this project can be found online at <https://www.fs.usda.gov/project/?project=52682>.

## ALTERNATIVES TO THE PROPOSED ACTION

### ALTERNATIVE 1 – NO ACTION

The No Action Alternative provides a baseline for comparing the effects of the action alternatives. The No Action Alternative essentially reflects a continuation of existing management practices without changes, additions, or upgrades. No new facilities or recreational opportunities would be approved under the No Action Alternative. The previously approved Gelande chairlift alignment and trail widening could occur under the No Action Alternative, and there would be no need for the Forest Plan amendment to adjust management areas. In accordance with Forest Service Handbook 1909.15, Chapter 40, Section 41.22, and 36 CFR 220.7(b)(2)(ii) the EA will not include an analysis of the No Action Alternative. The Forest Service Handbook states:

*A stand-alone no-action alternative is not required. However, the effect of taking no action should correlate closely with the purpose and need. In other words, the effects of not taking action should provide a compelling reason for taking action and, therefore, should be consistent with the purpose and need for action. (FSH 1909.15)*

### ALTERNATIVES CONSIDERED BUT DISMISSED FROM DETAILED ANALYSIS

The Forest Service considered an alternative that would include the Proposed Action chairlift, ski trails and SUP boundary adjustment; however, the project would not include the Forest Plan amendment to adjust the management areas' boundaries. The adjacent management areas (Management Area 4 and 5) could include developed skiing and infrastructure, but developed skiing would not comply with the desired future condition of those management areas. Therefore, this alternative was considered but eliminated from further analysis. Management Area 8 would be the most appropriate management area for this area.

## DESIGN CRITERIA

In order to minimize potential resource impacts from construction and implementation of any approved projects, Design Criteria will be incorporated into Alternative 2. Design Criteria are devised in the pre-analysis and analysis phases to reduce environmental impacts and ensure compliance with law and/or regulations. They include, but are not limited to, Best Management Practices (BMPs), Forest Plan standards and guidelines, and standard operating procedures.

Most Design Criteria are considered common practices that ski area managers have historically used in alpine and sub-alpine environments to prevent or decrease potential resource impacts. They are highly effective methods that can be planned in advance and adapted to site conditions, as needed. Design Criteria are included in Table 1 and may be amended within the EA. The potential effects of implementing the Proposed Action will be analyzed with these Design Criteria applied.

**Table 1. Design Criteria and Best Management Practices**

| <b>Scenery</b>   |
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| Choose structure design, scale, and color of materials, location, and orientation to meet the Visual Quality Objective of the Project Area.  |
| Stumps should be cut as low as possible to the ground to avoid safety hazard and lessen scenery impact.  |
| All structures, towers, and other above ground features will meet color guidelines. Bright colors are inappropriate for the forest setting. The colors should be muted, subdued colors because they blend well with the natural color scheme. The FSH No. 617, "National Forest Landscape Management for Ski Areas, Volume 2, Chapter 7," refers recommended colors for ski areas.   |
| All structures, towers, and other above ground features will meet reflectivity guidelines. This includes any reflective surfaces (metal, glass, plastics, or other materials with smooth surfaces), that do not blend with the natural environment. They should be covered, painted, stained, chemically treated, etched, sandblasted, corrugated, or otherwise treated to meet the solar reflectivity standards. The specific requirements for reflectivity are as follows: Structures with exteriors consisting of galvanized metal or other reflective surfaces will be treated or painted dark non-reflective colors that blend with the forest background to meet an average neutral value of 4.5 or less as measured on the Munsell neutral scale. |
| Trees should be retained, where possible, to provide species and size diversity, maintain forest cover, and screen facilities.   |
| Avoid straight edges where removing trees. The edges of the tree clearing areas, where the vegetation is removed, need to use a variable density cutting (feathering) technique applied to create a more natural edge that blends into the existing vegetative, where possible. Edges should be non-linear, and changes in tree heights along the edges of openings should be gradual rather than abrupt. Soften hard edges by selective removal of trees of different ages and heights to produce irregular corridor edges where possible.  |
| Utilities must be buried, and the ground surface must be revegetated when not in a road.   |
| All facilities including trails and signs must meet Forest Service Accessibility Guidelines. Forest Service Outdoor Recreation Accessibility Guidelines: <a href="https://www.fs.fed.us/recreation/programs/accessibility/">https://www.fs.fed.us/recreation/programs/accessibility/</a>   |
| <b>Public Health and Safety</b>  |
| Any burning will be in accordance with the Colorado Department of Health, Air Pollution Control Division, and town and county requirements, and an approved Burning Plan.  |
| <b>Cultural</b>  |
| If undocumented historic and/or prehistoric properties are located during ground disturbing activities or planning activities associated with approved construction activities, all construction in the immediate vicinity would cease and they would be treated as specified in 36 CFR § 800.11 concerning Properties Discovered During Implementation of an Undertaking.   |
| <b>Vegetation</b>  |
| <i>General</i>   |
| Where possible, utilize existing roads, or roads approved along with the Proposed Action, to reduce impacts to vegetation and soils. Where machinery must leave roads, identify and utilize the most direct and least invasive path feasible to reduce impacts to vegetation.  |
| Avoid trampling of native plant communities through designation of formal paths in heavy use areas, and other appropriate means.   |
| Adequately designate leave trees and trail clearing limits to avoid mistakes in clearing limits during construction.   |
| Areas cleared of vegetation alongside trails should be fully reclaimed after construction, where possible.   |

**Table 1. Design Criteria and Best Management Practices**

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| Implement Forest Service approved revegetation guidelines to all disturbed sites.  |
| Effective ground cover (mulch) upon completion of ground disturbing activities would meet minimum level of the pre-treatment habitat type.   |
| Consider the health and windthrow potential of residual trees as the major selection factors, when possible, during the selection of trees for removal.  |
| Reseed all disturbed areas with a Forest Service approved native seed mix.   |
| Mark trees to achieve a “soft edge,” keeping smaller trees near the edge and progressing toward larger trees toward the middle. Feather out unit edges to reduce the strong contrast between ski trails/lift lines and undisturbed areas.  |
| Maintain the integrity of naturally occurring tree clumps when marking and cutting edges.  |
| Stumps and slash must be disposed of in a manner approved by the Forest Service. Stumps should be flush cut; however, in some cases stumps may be buried, burned, or hauled off the National Forest. Slash may be chipped, burned, or lopped and scattered based on the type and volume of slash, site specific conditions, and other resource objectives.   |
| Burying of wood products will be considered on a case by case basis, and only after all other alternatives have been considered. Burying will not be permitted in roads, or on steep slopes where the proper density of compaction is unobtainable or there is a danger of eventual soil movement.   |
| Felled trees, slash, and any other clearing debris will not be allowed to accumulate outside of trail limits unless specifically authorized by the Forest Service. Boulders should be blasted, buried or removed off the National Forest. They should not be stockpiled.   |
| All wind-thrown or green cut spruce need to be de-barked down to 4” in diameter. At least 65 percent of the circumference of the tree stem needs to be de-barked and the log rolled so that the de-barked side is down. When possible move de-barked tree stems and pieces smaller than 3” diameter into a sunny location for maximum drying.  |
| <i>Noxious Weeds</i>   |
| Cleaning vehicles and equipment on a regular basis is the most effective and least expensive method of noxious weed control. Power-wash (high pressure cleaning) equipment, trucks, and off-road vehicles of mud, dirt and vegetation, including undercarriage and tires, prior to moving into weed-free areas. Clean equipment prior to entering NFS lands. If equipment is operating in, or has been stored in areas with known weed infestations, equipment should be cleaned on site, prior to leaving the area. |
| Provide training to both management and field workers in the identification of noxious weeds in all stages of growth, the importance of noxious weed control, and the measures available to minimize their spread.   |
| Minimize soil disturbances in weed infested areas whenever possible.   |
| During project planning and implementation, identify and use weed-free staging areas for equipment.  |
| Identify existing infestations of noxious weeds along access roads, in the vicinity of the project area, and within the area of proposed ground disturbance prior to the commencement of a project.  |
| Pretreatment of existing infestations with approved herbicides within the project area will be conducted prior to project implementation. Herbicide choices and application rates for treatment are available from the District/Forest Weed Program Manager. Use of approved herbicides for controlling noxious weeds will conform to current Forest Service specifications. All herbicides will be approved in writing by the Forest Service.   |
| Avoid moving weed-infested earth, gravel, or other fill materials into weed-free areas. If used, imported fill must come from weed-free sources. Inspect borrow areas and gravel pits on a regular basis, and keep them weed-free.   |
| Minimize contact with roadside sources of weeds that could be transported to other areas while moving construction equipment around the mountain.  |
| Employ excavation techniques that conserve native topsoil, stockpile topsoil, and replace topsoil to its original position when infilling disturbed areas.   |
| Re-establish vegetation on all disturbed ground immediately to minimize weed-seed germination and spread.  |
| “Rough up” soils and cleat in exposed soil surfaces and mulches so that broadcast seed/mulch is held on the slopes. Do not back blade disturbed areas smooth. Compacted areas should be loosened prior to revegetation.  |

**Table 1. Design Criteria and Best Management Practices**

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| All disturbed ground will be revegetated with native plant species. Utilize seed mix approved by the Forest Service and certified to be free of weed species. Seed mixes that incorporate native plant species similar to those within the project area are desirable. Any mulch used in revegetation efforts must be certified to be free of weed species. Use of wood and other non-straw fibers (i.e., coir, jute, or coconut) mulch and erosion control materials would help meet this objective.   |
| Monitor areas of previous disturbance on a regular basis for success of past revegetation efforts. If revegetation has not been effectively established within one season, aggressively re-seed and re-mulch the area. If necessary to achieve sufficient growth, consider organic soil amendments (manure, compost, urea, etc.) to accelerate the process. Monitor effectiveness of re-vegetation seed mixes, and alter seed mix (coordinate with Forest Service) as necessary to achieve aggressive re-vegetation of disturbed sites.   |
| Monitor all revegetated sites for new weed infestations. Aggressively treat weeds within newly re-vegetated areas. Treat populations adjacent to newly disturbed areas prior to reseeded.   |
| Minimize disturbance of roadside vegetation whenever possible. Retaining native vegetation along roadsides is a primary factor proven to limit the spread of weeds.   |
| Avoid re-entry or additional ground disturbance whenever possible in disturbed areas until vegetation (native or revegetation seed-mix) has been re-established.  |
| The use of road stabilizers can reduce the need for grading and road maintenance, which spreads weeds. Avoid stabilizers that can kill native grasses and forbs, allowing weedy species to colonize roadsides.  |
| Re-seed and re-mulch road shoulders and berms following major grading or water bar installation and maintenance.  |
| <b>Wildlife</b>   |
| Surveys should be conducted prior to construction to avoid or minimize impacts to certain species, unless the Responsible Official or Forest Service biologist determines surveys to be unnecessary. Surveys should be conducted for northern goshawk and olive-sided flycatcher.   |
| Construction of approved projects should occur outside the portion of the nesting period (March 1 to July 15) of migratory birds (non-Forest Service threatened, endangered, and sensitive species) when active nests are present. Or, construction may occur within that nesting period if surveys show no nests or altricial young present, or as otherwise approved by the Forest Service Responsible Official.  |
| If flamulated or boreal owl nests are located within project areas, direct mortality of eggs and/or nestlings shall be avoided by conducting construction activities that may lead to nest failure outside of the May 21 to July 15 nesting period within a quarter mile of nesting habitat, or as otherwise approved by the Forest Service Responsible Official.   |
| If olive-sided flycatcher nests are located within project areas, direct mortality of eggs and/or nestlings shall be avoided by conducting construction activities that may lead to nest failure outside of the June 1 to July 15 nesting period within a quarter mile of nesting habitat, or as otherwise approved by the Forest Service Responsible Official.   |
| Surveys for active raptor nests and avian cavity nesting activity should be conducted by qualified biologists prior to the construction season. To allow for successful nesting and young rearing, no project ground disturbing activities shall be allowed within a quarter mile of active raptor nests until after July 31, or as otherwise approved by the Forest Service Responsible Official. To protect breeding adults and young migratory birds in avian cavity nests, a no-activity buffer of 1 acre around detected cavity trees shall be implemented until July 31, or as otherwise approved by the Forest Service Responsible Official. |
| To reduce the risk for human/wildlife conflicts in areas where food or trash could be present, all trash containers should be bear proof and any locations that have food products stored outside of a building should have bear proof food containers.   |
| All construction activities should be confined to daylight hours, excluding emergencies.  |
| Construction workers should not be allowed to bring dogs on site during construction.   |
| No food/drink should be kept/stored in construction worker vehicles. All windows should be kept closed and doors locked on all vehicles to prevent bear entry.  |
| Purgatory is encouraged to inform the public on how to avoid and minimize negative human/wildlife conflicts and conflicts between recreational user groups, including hunters.  |

**Table 1. Design Criteria and Best Management Practices**

| <b>Soils</b>   |
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| During construction, maintenance and operations, stockpile top soil to maintain organic matter and re-spread over dozed areas where feasible and warranted.  |
| Excavation equipment shall be track vehicles unless project site allows for rubber tired equipment.  |
| Vehicle access to routine projects is restricted to existing roads, old roads (if not obliterated or otherwise revegetated), new roads approved along with the Proposed Action and trails unless other options will produce less long-term sediment. Reconstruct for long-term soil and drainage stability. Motorized vehicles should not travel cross-country. Cross-country travel needs approval prior to activity.   |
| An Access Plan will be made a part of the summer construction plan, and may be included within other plans such as Timber Removal Plan. Operate heavy equipment for treatments only when soil moisture is below the plastic limit, or protected by at least 1 foot of packed snow or 4 inches of frozen soil. Summer access to tundra environments at or above timberline will be limited to foot and helicopter travel only. Any other necessary access will be considered on a case by case basis.   |
| Avoid, minimize, or mitigate adverse effects to soil, water quality and riparian resources by controlling soil erosion, erosion of trail surface materials, and water quality problems originating from construction, maintenance, and use of nonmotorized trails.   |
| Avoid sensitive areas, such as riparian areas, wetlands, stream crossings, and unstable areas to the extent practicable.   |
| Design, construct, and maintain trail width, grades, curves and switchbacks suitable to the terrain and designated use.  |
| Install and maintain suitable drainage measures to collect and disperse runoff and avoid or minimize erosion of trail surface and adjacent areas.  |
| Prior to construction, a detailed site erosion control plan will be prepared and agreed upon by Forest Service and Purgatory staff. This plan shall include the following components: <ul style="list-style-type: none"> <li>• Silt fences, straw bales, straw wattles, and other standard erosion control BMPs shall be employed to contain sediment onsite.</li> <li>• Jute-netting or appropriate erosion-control matting on steep fill slopes (i.e., land with a slope angle of 35% or greater) will be utilized to protect soils and enhance conditions for vegetation re-establishment. Biodegradable netting (erosion control blankets and matting) should be used; netting should be free of persistent plastic/polypropylene materials.</li> <li>• Promptly revegetate disturbed areas. Seed mixtures and mulches will be free of noxious weeds. To prevent soil erosion, non-persistent, non-native perennials or sterile perennials may be used while native perennials become established. The Forest Service must approve the seed mixtures prior to implementation, unless previously approved seed mixes are employed.</li> </ul> |
| Ensure proper drainage, rip compacted areas, and apply a Forest Service-approved seed mix and organic soil amendments if necessary to facilitate revegetation.   |
| Vegetative buffers will be maintained adjacent to intermittent or perennial drainages and wetlands, to the extent possible. Where avoidance of the vegetative buffer is not possible, disturbance will be minimized.   |
| Return slash and native organic litter to site, apply imported soil organic matter, and use soil fertility to restore site organic matter and nutrients.   |
| Areas determined to have been compacted by construction activities may require mechanical subsoiling or scarification to the compacted depth to reduce bulk density and restore porosity.  |
| Prior to approved construction activities on NFS lands, Purgatory would prepare the following plans for Forest Service approval: <ul style="list-style-type: none"> <li>• Grading</li> <li>• Erosion control</li> <li>• Pre-construction erosion control/drainage management plans</li> <li>• Post-construction revegetation and rehabilitation plans</li> </ul>   |
| Do not encroach fills or introduce soil into streams, swales, lakes, or wetlands. Install sediment wattles, sediment fencing, retention basins, or other applications before ground-disturbing activities begin. Favor applications that maintain functionality without maintenance, such as sediment retaining wattles. Service sediment retention applications before leaving the site and remove non-natural and non-biodegradable materials. Favor applications that use natural or biodegradable  |

**Table 1. Design Criteria and Best Management Practices**

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| materials that can be left on-site. Maintain a 100-foot buffer from all fens and wetlands and 50 feet from perennial and ephemeral streams.   |
| <b>Watershed</b>  |
| In the event of a spill, the Contractor must abide by all applicable rules and regulations with respect to reporting requirements and cleaning up the spill. The Contractor must also follow any additional procedures required by federal, state, or local agencies. All costs due to spills and spill clean-up must be assumed by the Contractor. All clean-up and other spill related activities must be completed by the Contractor.  |
| For grading projects greater than 1 acre, ensure that grading and erosion control plans meet the basic requirements for stormwater permitting through the State of Colorado Stormwater Management Program. Portray nearby wetlands and streams on grading plans. Also, show any BMPs or erosion control measures that would be used to protect streams and wetlands.  |
| For projects that involve grading, define grading limits on the ground before construction by placing wattles, sediment fence, construction fence, or other physical barrier along the perimeter of the area to be graded. Ensure that all grading is confined within the specified grading limits.   |
| For ground-disturbing activities near perennial and intermittent streams, and ephemeral draws, minimize Connected Disturbed Area by ensuring that graded areas, roads, road ditches, and other disturbed areas drain to undisturbed soils rather than directly to streams and ephemeral draws. Manipulate drainage from disturbed areas as necessary using natural topography, rolling dips, water bars, ditch-relief culverts, etc., to disconnect disturbed areas from streams. (Maintain a buffer of 50 feet from live water).   |
| For logging operations, retain live and dead trees within 100 feet of perennial and intermittent streams, except within designated stream crossings. Locate all landings and skid trails at least 100 feet away from perennial and intermittent streams. Do not skid logs on sustained slopes steeper than 40%. Obliterate skid trails after operations are complete by pulling slash on skid trails; building water bars where needed; placing barriers within skid trails to prohibit mechanized and motorized use; and seeding skid trails with approved seed mix, where necessary, to establish vegetation. A detailed plan for logging practices and methods (including disposal methods, any temporary roads, log decking locations, etc.) will be established prior to implementation in the summer construction plan. |
| Clearly mark all wetlands within the vicinity of any ground disturbing activities or tree felling and ensure that all equipment operators are aware of their presence. Operate heavy equipment for land treatments only when soil moisture is below the plastic limit, or protected by at least 1 foot of packed snow or 4 inches of frozen soil.   |
| Outslope low standard roads to shed water rather than concentrating water on the road surface or in ditches.  |
| Do not install culverts or conduct ground-disturbing activities near streams during spring runoff, or during periods of heavy precipitation.  |
| Do not locate roads, trails, or other disturbed areas on slopes that show signs of instability, such as slope failure, mass movement, or slumps.  |
| For projects that would increase road traffic, or require road use by heavy construction equipment, apply road surfacing near stream crossings as needed to harden the road surface and minimize sediment delivery to streams.  |
| Do not encroach fills or introduce soil into streams, swales, lakes, or wetlands. Install sediment wattles, sediment fencing, retention basins, or other applications before ground-disturbing activities begin. Favor applications that maintain functionality without maintenance, such as sediment retaining wattles. Service sediment retention applications before leaving the site and remove non-natural and non-biodegradable materials. Favor applications that use natural or biodegradable materials that can be left on-site.   |
| Keep all debris generated by project activities out of ditches, swales, and drainage channels.  |
| Halt construction activities during periods of heavy precipitation or when soils are muddy and prone to rutting and compaction.   |

## EFFECTS AND ISSUES TO CONSIDER

Analysis will focus on impacts to NFS lands. The EA will address the effects of the Proposed Action (and any alternatives) on the following resources: vegetation, wildlife, watershed resources, waters of the U.S., including wetlands, geology and soils, cultural resources, recreation and guest services, and scenery.

These resources were analyzed in the 2008 FEIS and will be addressed in this EA. The EA will be issue-driven and will contain detail corresponding to resource impacts. Issues are defined as unresolved conflicts that arise as a result of action alternatives. Each issue includes a preliminary list of indicators, identified as a means of quantifying impacts to a particular resource. While some indicators are qualitative in nature, every effort was made to utilize indicators that are quantitative and predictable. Both issues and indicators may be refined prior to and during the EA.

The following tables presents preliminary direct and indirect consequences to the biological (Table 2) and human (Table 3) environment related to the Proposed Action. The findings are based on data collected through fieldwork conducted in 2017 and an assessment of changed conditions compared analysis included in the 2008 FEIS.

### BIOLOGICAL ENVIRONMENT

**Table 2. Summary of Preliminary Direct and Indirect Environmental Consequences: Biological Environment**

| <b>Wildlife</b>  |
|--|
| <i>Issue:</i> Ground disturbing activities may affect Threatened and Endangered (T&E) wildlife species, Sensitive wildlife species, management indicator species (MIS), and/or general wildlife species through direct impacts to habitat and/or increased human activity.   |
| <b>Indicator:</b> Analysis of baseline condition in Gelandé area and potential impacts to wildlife and fish species  |
| <u>Threatened and Endangered:</u> Alternative 2 may affect, but is not likely to adversely affect Canada lynx and is not likely to jeopardize the continued existence of North American wolverine, as there is currently no wolverine population in the State of Colorado.   |
| <u>Region 2 Sensitive:</u> Alternative 2 would have no effect on the Desert bighorn sheep, fringed myotis, Gunnison's prairie dog, kit fox, river otter, American bittern, Brewer's sparrow, burrowing owl, Columbian sharp-tailed grouse, ferruginous hawk, grasshopper sparrow, Lewis' woodpecker, loggerhead shrike, Northern harrier, purple martin, sagebrush sparrow, short-eared owl, boreal toad, Northern leopard frog, bluehead sucker, Colorado River cutthroat trout, flannelmouth sucker, roundtail chub, and Great Basin silverspot. For species that have the potential to be present within the project area, Alternative 2 may affect individuals but is not likely to cause a trend toward federal listing or loss of viability of the species: American marten, hoary bat, Rocky Mountain bighorn sheep, spotted bat, Townsend's big-eared bat, American peregrine falcon, bald eagle, black swift, boreal owl, northern goshawk, olive-sided flycatcher, white-tailed ptarmigan, flammulated owl, monarch butterfly, and western bumble bee. |
| <u>Management Indicator Species (MIS):</u> Alternative 2 would have no impact on the ability of the Forest to meet the objectives of improving habitat conditions for identified MIS. For those species with potential to be present within the project area, Alternative 2 may affect individuals but is not likely to cause a change in population numbers or trends at the project or forest-wide scales. These species include Rocky Mountain elk, American marten and hairy woodpecker.   |
| <b>Watershed Resources</b>   |
| <i>Issue:</i> Vegetation removal and ground disturbance have the potential to impact stream health.  |
| <b>Indicator:</b> Determination of project effects on stream health  |

Stream channels and drainages are not immediately present within the study area. PDC would be applied to the construction and operation of the project to minimize erosion and sedimentation during runoff. Water yield and peak flow runoff was modeled in the 2008 FEIS. With the current Proposed Action being similar to the previously-approved project, impacts that were analyzed and anticipated in 2008 FEIS would be similar to those of the current Proposed Action. With the application of PDC, stream health within the watershed would be maintained.

### Geology and Soils

**Issue:** Additional ground disturbance and installation of on-mountain infrastructure may incrementally affect soil resources.

**Indicator:** Discussion of soil conditions and geology within the SUP boundary adjustment area and related impacts

The survey area generally lacked dry rocky, gravelly or barren areas with the exception of the expo cent cliff bands, and areas immediately below cliffs. A few small localized areas of bare soils were observed in old road cuts between the top of the Hermosa Cliffs and the top of Chairs 1 and 6. Geology of the survey area appeared to be consistent with that described for the Hermosa Formation consisting of interbedded layers of primarily limestone with sandstone and siltstone also present. The project would disturb approximately 0.7 acre of ground through grading related to the installation of the proposed Gelandé chairlift and the access road from the top of Chair 6 to the proposed Gelandé chairlift. Revegetation would occur within disturbed areas.

## HUMAN ENVIRONMENT

**Table 3. Summary of Preliminary Direct and Indirect Environmental Consequences: Human Environment**

| <b>Recreation and Guest Services</b>   |
|--|
| <b>Issue:</b> By design, implementation of the proposed projects would affect the winter recreation experience.  |
| <b>Indicator:</b> Skier distribution by ability level discussion   |
| The proposed addition of the trails lift-served by proposed Gelandé chairlift would add primarily expert ability level terrain (approximately 11 acres). This additional expert terrain is an improvement on the expert terrain approved under the 2008 FEIS to meet the need for additional expert terrain at the resort.   |
| <b>Indicator:</b> Disclosure of the change in skier experience/dynamics in the Gelandé area (i.e., double diamond ski experience)  |
| The Gelandé chairlift would provide lift-served access to 11 acres of new expert ability level terrain. This steep of terrain does not currently exist at Purgatory and would provide a new skier experience at Purgatory. The chairlift would also provide access to off-piste terrain within and beyond the ski area boundary.   |
| <b>Indicator:</b> Identification of boundary management and safety measures/controls   |
| Boundary management for the proposed Gelandé area would be consistent with the standard measures included in the Winter Operating Plan. The southern ski area boundary would follow the proposed SUP boundary near the top of the proposed chairlift to a point above the cliffs and would then follow the northern edge of Columbine Gully down to the private land boundary. Access points would be located on the southern boundary and would be determined through the Winter Operating Plan with a goal of providing signed, informative access to terrain beyond the boundary. |
| <b>Indicator:</b> Identification of avalanche control (especially Columbine Gully and Monkey Gully) and anywhere where avalanche control may cause snow to shed onto adjoining private lands   |
| Avalanche control would occur within the operational boundary and at the upper portions of Columbine and Monkey Gullies. This will be defined and approved in the Winter Operating Plan, which is evaluated annually by the Forest Service.  |
| <b>Scenery</b>   |
| <b>Issue:</b> Additional ground disturbance, vegetation removal, and installation of on-mountain infrastructure within the SUP area may negatively affect the scenic values associated with the San Juan Skyway and other sensitive viewer locations.  |

|   |
|---|
| <b>Indicator:</b> Compliance with a Scenic Integrity Objective (SIO) of “Low”   |
| Proposed trails and lifts would be consistent with an SIO of “Low” through the application of Scenery PDC (see Table 1).  |
| <b>Indicator:</b> Compliance with the San Juan Skyway Corridor Management Plan Goals and Guidelines   |
| In 1986, a corridor management plan was completed for the 223-mile San Juan Skyway. The corridor management plan is a required element of designated National Scenic Byways under the Federal Highways Scenic Byways Program. Relevant elements of the corridor management plan are found <a href="#">here</a> . Existing facilities vary in compliance with <a href="#">Built Environment Image Guide</a> guidelines; lack of a unifying architectural design theme is evident and in some cases, materials, colors, and architectural styles are of a low aesthetic quality. New lifts and trails would comply with the goals and guidelines of the San Juan Skyway Corridor Management Plan. |

## RESOURCES/ISSUES DISMISSED FROM DETAILED ANALYSIS

Other resources considered in the 2008 FEIS but not listed above are anticipated to be dismissed from detailed analysis due to limited or no impacts. These resources are listed below with a brief explanation of their dismissal from analysis. There will be no fieldwork conducted for these non-impacted resources.

The project area does not contain any Wild and Scenic rivers, wilderness, Colorado Roadless Areas, prime and unique farmlands, parklands, or other specially designated areas; therefore, there will be no impacts to these resources and they will not be discussed further.

### Vegetation

Botanical field surveys were completed in September 2017 within the Gelandé project area. No Forest Service sensitive species were observed in the survey area and the survey area does not have potential habitat for threatened or endangered plant species. This resource will be dismissed from detailed analysis in the EA because sensitive botanical resources are not present within the study area.

### Waters of the U.S., Including Wetlands

Waters of the U.S., including wetlands surveys were complete in September 2017 within the Gelandé project area. The surveys did not identify any aquatic resources (standing or flowing water, wetlands, dry water channels with defined beds and banks). This resource will be dismissed from detailed analysis in the EA because waters of the U.S., including wetlands are not present within the study area.

### Cultural Resources

A Class III cultural investigation was completed in September 2017 within the Area of Potential Effects and no resources were identified. A Limited Results Report is available in the project file, and the Forest Service will recommend a “no historic properties affected” determination to the State Historic Preservation Officer. This resource will be dismissed from detailed analysis in the EA because cultural resources are not present within the study area.

### Air Quality

Air quality and vehicular emissions were analyzed in the 2008 FEIS and no significant impacts or conflicts with relevant regulations were identified. Changes between the previously approved Gelandé

project and the currently proposed Gelandé are anticipated to not result in measurable differences in impacts to air quality. Therefore, this resource has been dismissed from detailed analysis.

### **Traffic, Parking, Ski Area Access**

Traffic, parking and ski area access was analyzed in the 2008 FEIS and no significant impacts or conflicts with relevant regulations were identified. Changes between the previously approved Gelandé project and the currently proposed Gelandé are anticipated to not result in measurable differences in impacts to air quality. Therefore, this resource has been dismissed from detailed analysis.

### **Socioeconomics**

Socioeconomics were analyzed in the 2008 FEIS and no significant impacts or conflicts with relevant regulations were identified. Changes between the previously approved Gelandé project and the currently proposed Gelandé are anticipated to not result in measurable differences in impacts to air quality. Therefore, this resource has been dismissed from detailed analysis.

## **FOREST PLAN AMENDMENT PROCESS**

### **INTRODUCTION**

Under the National Forest Management Act (NFMA) and its implementing regulations at 36 CFR 219 (2012 Planning Rule), a plan may be amended at any time (36 CFR 219.13(a)). Plan amendments may be broad or narrow, depending on the need for the change. The Forest Service has the discretion to determine whether and how to amend the Forest Plan, and to determine the scope and scale of any amendment (36 CFR 219.6).

### **AMENDMENT CONSISTENT WITH FOREST SERVICE NEPA PROCEDURES (§ 219.13(B)(3))**

The effects of the proposed plan amendment will be documented in EA following Forest Service NEPA procedures at 36 CFR 220. A change of Management Area prescription in and of itself would not be considered a significant change in the Forest Plan for the purposes of NFMA, and the proposed projects are not anticipated to result in significant impacts (40 CFR 1508.27). Therefore, an EA will be prepared to analyze the effects of this project (36 CFR 219.13(b)(3)).

### **HOW THE 2012 PLANNING RULE APPLIES TO THE PLAN AMENDMENT**

The proposed amendment to the Forest Plan has been prepared under the 2012 Planning Rule. The 2012 Planning Rule replaced the 1982 planning procedures that the Forest Service used to develop the existing Forest Plan. The proposed amendment, therefore, must comply with the procedural provisions of the 2012 Planning Rule, not the obsolete 1982 rule.

### **PURPOSE OF THE PLAN AMENDMENT (36 CFR 219.13(B)(1))**

The purpose of this amendment is to convert approximately 26 acres of Forest Plan Management Area 4 and Management Area 5 into Management Area 8. The Management Areas 4 and 5 are allocated for “high-use, recreation emphasis” and “active management (commodity production in order to meet multiple-use goals),” respectively. The Proposed Action includes a Forest-wide Forest Plan amendment to

change the current management areas within the SUP boundary adjustment area to Management Area 8, “highly developed areas”, which is the most consistent with ski area operations.

A plan amendment is required in order to change how or where one or more plan components apply to all or part of the plan area, including management areas or geographic area (36 CFR 219.13(a)). The action of adjusting Purgatory’s SUP boundary as proposed and the resulting Management Area conversion would, therefore, require a plan amendment.

Two alternatives were considered by the ID Team during development of the proposed project that would not require a Management Area conversion, and would therefore not require a plan amendment. One alternative is the previously-approved Gelände chairlift alignment, which does not meet the current Purpose and Need. The second alternative would not convert the other management areas to Management Area 8, but this is not ideal from a Forest Planning perspective.

## **COMPLIANCE WITH THE 2012 PLANNING RULE’S PROCEDURAL PROVISIONS**

The following sections demonstrate the amendment’s compliance with the procedural provisions of the 2012 Planning Rule.

### **Using the Best Scientific Information to Inform the Planning Process (§ 219.3)**

To identify the potential direct, indirect, irretrievable, irreversible, and cumulative impacts that may result from converting approximately 26 acres to Management Area 8, the most accurate, reliable, and relevant information has been and will be considered. The particular information and documentation of how the information is used will be included in the EA.

### **Providing Opportunities for Public Participation (§ 219.4) and Providing Public Notice (§ 219.16 and § 219.13(b)(2))**

With this notification, the public is being provided an opportunity to comment on the proposed Forest Plan amendment.

As allowed by § 219.16.13(b)(2), required public notifications of plan amendments may be combined where appropriate. This scoping and comment period provides the initial public notification of the Forest Plan amendment. The comment period will be 30 days (36 CFR 219.16(a)(2)). Public notifications will be made by publication of the legal notice in the Durango Herald; by posting the notification on the project website; and by mailing or e-mailing notifications to interested or affected parties per § 219.4(1) and (2).

Individuals and entities who submit substantive formal comments related to the plan amendment during designated opportunities for public comment will also have opportunity to file an objection to the proposed project and plan amendment (36 CFR 219.53). This may be the only such designated opportunity for this project.

### **Format for Plan Components (§219.13 (b)(4) and § 219.7(e))**

The plan amendment would not alter the content of plan components, but the amendment would change the management area boundaries within the project area which would alter which plan components are applicable to the project area.

**Plan Amendment Process (§ 219.13)**

A legal notice published in the Newspaper of Record – *Durango Herald*, on or about December 13th, 2017 will initiate a combined 30-day scoping and comment period for the project and the proposed Forest Plan amendment, concluding on approximately January 12th, 2018. To inform the public of the project and answer questions, a public open house may be scheduled, date to be determined. Further information about this project can be found on our website at <https://www.fs.usda.gov/project/?project=52682>. Analysis of the Forest Plan amendment and its potential impacts will be fully disclosed in the EA. Information on how to comment is described below under the heading “Comment Process.”

**Objection Opportunity (§ 219.50 through § 219.62)**

The plan amendment would apply to all future projects or activities within the 26-acre SUP boundary adjustment; therefore the 2012 Planning Rule’s objection process applies, but only to the plan amendment. The review process of 36 CFR 218 would apply to the project part of the decision (36 CFR 219.59(b)). The draft decision document and all notices of the opportunity to comment on the draft decision will clearly indicate which part of the draft decision is subject to the objection process and which part of the draft decision is subject to the review procedures of 36 CFR 218, and an explanation of those procedures.

**DOCUMENTING COMPLIANCE WITH THE 2012 PLANNING RULE’S APPLICABLE SUBSTANTIVE PROVISIONS**

The 2012 Planning Rule requires that those substantive provisions within § 219.8 through § 219.11 that are directly related to the amendment must be applied to the amendment. The applicable substantive provisions apply only within the scope and scale of the amendment.

As explained in the discussion that follows, both the purpose and effects of the amendment are such that any adverse effects or lessening of protections of any of the provisions within § 219.8 through § 219.11 are neither directly related to this amendment nor substantial.

**Scope and Scale of the Plan Amendment**

The scope and scale of the proposed plan amendment is site-specific, applying to a specific area of 26 contiguous acres, and covers only a small portion of the San Juan National Forest. It would apply to all future projects and activities within this 26-acre area, as well as all resources within this area.

The plan amendment would alter the management emphasis, actions, measures, and prescriptions of the 26 acres that would be converted to Management Area 8. As Management Area 8, this 26-acre area would be expected to function as a ski area and future ski area-related project could be proposed beyond what are included in the 2008 Durango Mountain Resort Improvement Plan Final EIS and ROD, though any future projects would require separate and appropriate NEPA analysis.

**Rule Provisions Directly Related to the Amendment**

The rule requires that substantive rule provisions (§ 219.8 through 219.11) that are directly related to the amendment must be applied to the amendment. A determination that a rule provision is directly related to the amendment is based on any one or more of the following criteria:

1. The purpose of the amendment (§ 219.13(b)(5)(i));
2. Beneficial effects of the amendment (§ 219.13(b)(5)(i));
3. Substantial adverse effects associated with a rule requirement (§ 219.13(b)(5)(ii)(A));
4. Substantial lessening of protections for a specific resource or use (§ 219.13(b)(5)(ii)(A)); and
5. Substantial impacts to a species or substantially lessening protections for a species (§ 219.13(b)(6)).

Applying these criteria, and having considered the preliminary NEPA analysis, it has preliminarily been determined that the proposed amendment does not have substantial adverse effects and does not substantially lessen protections.

### **Other Substantive Provisions**

The responsible official is not required to apply any substantive requirements that are not directly related to the amendment. For the substantive provisions from the 2012 Planning Rule, the project has no significant effect as explained below.

#### ***§ 219.8 Sustainability***

- § 219.8(a)(1) Ecological Sustainability - Ecosystem Integrity - Ecological integrity of terrestrial and aquatic ecosystems and watersheds in the plan area are adequately protected by existing Forest Plan guidance. The amendment would have direct, indirect, and cumulative impacts on ecological integrity within the areas proposed for Management Area conversion; however, these impacts would not be significant at the ecosystem scale due to the limited scope and scale of the proposed Management Area conversion.
- § 219.8(a)(2) Ecological Sustainability - Air, Soil, and Water - Air quality, soils and soil productivity, water quality, and water resources are addressed in the Forest Plan and project specific design criteria are in place to reduce resource concerns. The amendment would have direct, indirect, and cumulative impacts on these resources within the areas proposed for Management Area conversion; however, these impacts would not be significant at the ecosystem scale due to the limited scope and scale of the proposed Management Area conversion.
- § 219.8(a)(3) Ecological Sustainability - Riparian Areas - Ecological integrity of riparian areas is adequately protected in the Forest Plan and project specific design criteria are in place to reduce resource concerns. The amendment would have direct, indirect, and cumulative impacts on riparian areas within the areas proposed for Management Area conversion; however, these impacts would not be significant at the watershed scale due to the limited scope and scale of the Management Area conversion.
- § 219.8(a)(4) Ecological Sustainability - Best Management Practices for Water Quality - Existing Forest Plan standards address best management practices for water quality by matching regional Water Conservation Practices Handbook management measures.
- § 219.8(b) Social and Economic Sustainability - The amendment would not have a direct effect that is outside the scope of existing Forest Plan direction on social and economic sustainability.

- § 219.8(b)(2) Social and Economic Sustainability - Sustainable Recreation – The amendment has been designed to be compliant with recreation direction in the Forest Plan regarding sustainable recreation including recreation settings, opportunities, access, and scenic character
- §219.8(b)(5) Social and Economic Sustainability - Cultural and Historic Resources and Uses - The amendment would have no effect on Forest Plan direction for cultural and historic resources, or management of areas of tribal importance. The project does not occur in areas of tribal importance.

#### *§ 219.9 Diversity of Plant and Animal Communities*

- § 219.9(a) Ecosystem Plan Components – Ecosystem plan components to maintain or restore the ecological integrity of terrestrial and aquatic ecosystems and watersheds in the plan area are adequately addressed by existing Forest Plan guidance and project-specific measures are in place to reduce resource concerns. The amendment would have direct, indirect, and cumulative impacts on terrestrial and aquatic ecosystems and watersheds within the areas proposed for Management Area conversion; however, these impacts would not be significant at the ecosystem scale due to the limited scope and scale of the proposed Management Area conversion.
- § 219.9(b) Additional, Species-Specific Plan Components – Species-specific plan components are adequately addressed by existing Forest Plan guidance and project-specific measures are in place to reduce resource concerns. The amendment would have direct, indirect, and cumulative impacts on plant and animal communities within the areas proposed for Management Area conversion; however, these impacts would not be significant at the ecosystem scale due to the limited scope and scale of the proposed Management Area conversion.
- § 219.9(c) – Species of Conservation Concern - Species of conservation concern are adequately addressed by existing Forest Plan guidance and project-specific measures are in place to reduce resource concerns.

#### *§ 219.10 Multiple Use*

- § 219.10(a) Integrated Resource Management for Multiple Use - The limited scope and scale of the plan amendment has no direct impact on integrated resource management to provide for ecosystem services and multiple uses.
- § 219.10(b)(1)(i) Requirements for Plan Components for a New Plan or Plan Provision – Sustainable Recreation - The proposed plan amendment has been designed to be compliant with recreation direction in the Forest Plan regarding sustainable recreation, including recreation settings, opportunities, access, and scenic character.
- § 219.10(b)(1)(ii) Requirements for Plan Components for a New Plan or Plan Provision – Protection of Cultural and Historic Resources - The proposed Management Area conversion would have no effect on Forest Plan direction for cultural and historic resources.
- § 219.10(b)(1)(iii) Requirements for Plan Components for a New Plan or Plan Provision – Management of Areas of Tribal Importance - The proposed Management Area conversion would have no effect on Forest Plan direction for management of areas of tribal importance. The proposed Management Area conversion does not occur in areas of tribal importance.

- § 219.10(b)(1)(iv) Requirements for Plan Components for a New Plan or Plan Provision – Congressionally Designated Wilderness - The proposed Management Area conversion would have no effect on Forest Plan direction for congressionally designated areas or areas recommended for wilderness designation. The proposed Management Area conversion does not occur in areas of wilderness or recommended wilderness.
- § 219.10(b)(1)(v) Requirements for Plan Components for a New Plan or Plan Provision – Wild and Scenic Rivers – The proposed Management Area conversion would have no effect on Forest Plan direction for wild and scenic rivers. The proposed Management Area conversion does not occur in areas of wild or scenic rivers, or rivers found eligible or determined suitable for the National Wild and Scenic River system.
- § 219.10(b)(1)(vi) Requirements for Plan Components for a New Plan or Plan Provision – Appropriate Management of Other Designated Areas – Aside from the Management Area assignments, no other designations or proposed designations are present within the proposed 26-acre Management Area conversion area.
- § 219.10(b)(2)(vi) Requirements for Plan Components for a New Plan or Plan Provision – Other Plan Components – No other components for integrated resource management to provide for multiple use have been identified as potentially impacted by the proposed plan amendment.

#### *§ 219.11 Timber Requirements based on the NFMA*

The proposed Management Area conversion is compliant with existing Forest Plan guidance regarding: lands not suited for timber production; timber harvest for purposes other than timber production; timber harvesting in the plan area on a sustained-yield basis; timber harvest of even-aged stands for regeneration, including maximum openings; and protections for soil slope or other watershed conditions, and protection of soil, watershed, fish, wildlife, recreation, and scenery resources related to timber harvest (219.11(a), 219.11(c), 219.11(d)(2), 219.11(d)(3), 219.11(d)(4), 219.11(d)(5), 219.11(d)(6), 219.11(d)(7)).

#### **Project and Activity Consistency with the Plan**

All future projects and activities must be consistent with the amended plan. The 2012 Planning Rule consistency provisions at 36 CFR 219.15(d) apply only to the plan component(s) added or modified under the 2012 Planning Rule, which is not applicable to this plan amendment. With respect to determinations of project consistency with other plan provisions, the Forest Service's prior interpretation of consistency (that the consistency requirement applies only to plan standards and guidelines) applies (FSH 1909.12, Chapter 20, Section 21.33).

## **COMMENT PROCESS**

An open house to inform the public of the project and answer questions may be scheduled during the comment period if public interest indicates the need.

The proposed projects are activities implementing and amending a land management plan and resource management plan and are subject to the objection process described in 36 CFR 218 Subparts A and B and 36 CFR 219.13, respectively. The Forest Service is combining the scoping period and opportunity to

comment period. The public is encouraged to provide specific written comments on this proposal, including supporting reasons for the responsible official to consider, as no additional ‘opportunity to comment’ periods will likely occur. Specific written comments must be within the scope of and have a direct relationship to the Proposed Action.

Written comments will be accepted for 30 calendar days following the publication of a legal notice in the *Durango Herald*. The publication date in the newspaper of record is the exclusive means for calculating the comment period. The regulations prohibit extending the length of the comment period.

Written comments (regarding Forest Service questions and concerns) must be submitted by:

*Mail:* Jed Botsford, Forest Service Team Leader, P.O. Box 439, Bayfield, CO 81122

*In person or other delivery method:* Jed Botsford, Forest Service Team Leader, 367 S Pearl St, Bayfield, CO 81122 (Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays)

*FAX:* (970) 884-2428

*Electronic:* [comments-rocky-mountain-san-juan-columbine@fs.fed.us](mailto:comments-rocky-mountain-san-juan-columbine@fs.fed.us). The name and mailing address of the person submitting electronic comments must be included.

It is the responsibility of persons providing comments to submit them by the close of the comment period. Only those who submit timely and specific written comments will have eligibility to file an objection under 36 CFR 218.8 (Project-level components objection) and 36 CFR 219.54 (Forest Plan amendment objection). The objection requirements for each process is described below.

If the agencies determine there are no significant impacts, that finding, along with the EA and a draft decision notice will be published for a 45-day objection period. If no specific written comments are received during the designated opportunity for comment, the project will not be subject to objection. If the EA concludes there is potential for significant impacts, then an environmental impact statement will need to be prepared.

Further information about this project can be found on the San Juan National Forest website at: <https://www.fs.usda.gov/project/?project=52682>.

Additional information regarding this action and the comment process can be obtained from Jed Botsford at [jedbotsford@fs.fed.us](mailto:jedbotsford@fs.fed.us) or by phone at (970) 884-1436.

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